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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/825,495	04/02/2001	Bo Shen	10006086-1	1999

7590 07/07/2004

HEWLETT-PACKARD COMPANY
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EXAMINER	
AHMED, FAROOQUE	

ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 07/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/825,495	SHEN, BO	
	Examiner	Art Unit	
	Farooque Ahmed	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04/02/2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-25* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

1. This action is responsive to the application filed on Filing Date: **04/02/2001.** Claims 1-25 are pending. Claims 1-25 represent A system and method for Dynamic to service providers.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-25 are rejected under 35 USC § 102(e) as being anticipated by Manachello et al., U.S. patent no. 6,748,439.

In reference to claim 1, Manachello teach a method configured to dynamically and intelligently route requests for services Provided by service provider servers, comprising:

(a) An association of at least one service provider server; (See Fig 3,abstract; Column3, lines11-53; Manachello discloses NSP allows a user to select route for Internet connection).

(b) An ingress server configured to receive incoming requests for services that are directed to the network; (See Fig 3,abstract; Column3, lines11-53; Manachello discloses CPE and MSAP).

(c) a routing device configured to intelligently route the client service request to an associated service provider server according to predetermined criteria; and (See Fig 3,abstract; Column3, lines11-53; Manachello discloses CPE acting as a router).

(d) a service provider server register configured to maintain current service provider Server information. (See Fig 1,2, 3 & abstract, Column3, lines11-53, Column2; Manachello discloses NSP are configure to maintains co and CPE which maintained the ISP selection Information).

As to claim 2, Manachello teaches the method of as recited in claim 1, further comprising a qualifying device configured to intelligently qualify a service provider server according to predetermined Criteria, wherein the service provider server may become associated with the network. See Fig 5, abstract, Column1 line 3-45, and Column 3 lines11-53 Manachello discloses network configuration having a LAN coupled to the network, CPE and CO).

As to claim 3, Manachello teaches the method of as recited in claim 2 wherein the qualifying device is configured to qualify a service provider server based on service quality criteria. (See Fig 5, column 1 lines 30-45, Column3

lines11-25 and 40- 65 Manachello discloses customers using CPE to gain the access SP using different verity of services).

As to claim 4, Manachello teaches the method of as recited in claim 2, wherein the qualifying device is configured to qualify a service provider server based on service routing criteria, and

Wherein the routing device includes routing code for enabling a processor to route client requests to an application service provider server by executing the routing code. (See Figs 2,3,5, column 3 lines 40-67, Column 4, lines1-7 and 40-65 Manachello discloses NSP application code which is executed by the client to get the service selection through CPE.)

As to claim 5, Manachello teaches the method of as recited in claim 2, wherein the qualifying device is configured to qualify a service provider server based on the type of service offered by the service provider server. (See Fig 5, column 1 lines 30-45, Column 3 lines11-25 and 40- 65) Manachello discloses NSP using CPE to gain the access SP using different verity of services such AOL or PSI NET).

As to claim 6, Manachello teaches the method of as recited in claim 1, wherein the network includes a plurality of routing devices and a router table propagator configured to intelligently propagate updates of routing tables that may exist in each of the plurality of routing devices. (See Fig 3,Table in columns 5 & 6, Column1 lines 14-24 Manachello discloses NSP where in networks routers

are used to routes information and update their tables through ip and Mac address, and protocols).

As to claim 7, Manachello teaches the method of as recited in claim 1, wherein the ingress server includes a routing device configured with routing code to route client requests to an application service provider severs and a server provider server register configured to maintain current service provider server information. (Column 3 lines 40-67 and Column 4 lines 10-35 and Column 8 lines 40-54 Manachello discloses NSP where CPEs are configured with routing tables and MSAP located Co coupled with application routes and maintain the clients information).

As to claim 8, Manachello teaches the method of as recited in claim 1 further comprising a plurality of service Provider servers that are affiliated with the ingress server, wherein the ingress server is configured to route client requests to one or more of the service provider servers according to predetermined criteria. (See Fig 5,column 1 lines 30-45, Column3 lines11-25 and 40- 67) Manachello discloses that user selects NSP on an application-by-application basis, which reside on CPE with coupled with MSAP in CO and provide service based on client request).

As to claim 9, Manachello teaches the method of as recited in claim wherein the service provider server register includes a routing table containing property information pertaining to a service provider server. (See Fig 5, column 1

lines 10-45, Column3 lines11-25 and 40- 65 column 4 lines 1-46) Manachello discloses NSP where CPE obtained the list of directory for individual clients).

As to claim 10, Manachello teaches the method of as recited in claim 1, wherein the service provider server register includes a routing table containing property information pertaining to a service provider server including operation status information and type of service information (See Figure 5, Column 1 lines 1-30 and Column 6 lines 15-67 Manachello discloses NSP Manachello discloses NSP where CPE obtained the list of directory for individual clients where all information reside in that tables).

As to claim 11,Manachello teaches the method of as recited in Claim 9, wherein the routing table includes a look-up table containing property information pertaining to a service provider server that can be looked up by the routing device. (See Figure 5, Column 1 lines 1-30 and Column 6 lines 15-67 Manachello discloses NSP where CPE obtained the list of directory for individual clients where MSAP maintained a list of client which obtained from CPE may request by CO).

As to claim 12 Manachello teaches the method of an ingress server configured to route a client request to an application server, comprising:

a router configured with routing code to route client requests to an application Service Provider Server; and

a service provider server register configured to maintain current service provider server information (See Figure 5, Column 1 lines 1-30 and Column 6

lines 15-67 Manachello discloses NSP application code which is executed by the client to get the service selection through CPE where client information is maintained).

Claims 13-21 does not teach or define any new limitations over claims 1-12 and therefor are rejected for similar reasons.

As to claim 22 Manachello teaches a method for routing a client request to a pre-qualified service provider server, wherein such routing is performed by a routing server having a service provider register, comprising:

receiving a client request; Manachello discloses user to subscriber information directly in to CO (See Figures 3&5, Column 3 lines 35-67, Column 8 lines 40-55 Column 9 lines 10-40)

analyzing the client request to determine the type of service that is requested by the request: Manachello discloses allow the user configure t and subscriber information .(See Figures 3&5, Column 3 lines 35-67, Column 8 Column 9 lines 10-40

checking the service provider register for a pre-qualified service provider server that is capable of performing the requested service; and

routing the request to a service provider according to predetermined criteria. (See Figures 3&5, Column 3 lines 35-67, Column 8 lines 40-55 and Column 9 lines 10-40) Manachello discloses NSP are configures and maintains through co and CPE perform routing and which maintained the ISP selection Information requested by clients).

As to claim 23 Manachello teaches the method of as recited in claim 22. 22, further comprising the step of choosing a service provider server from a number of service provider servers that have been pre-qualified by the routing server for particular services.(See Fig 3, abstract, Column3, lines11-53 column 4, lines 1-45 Manachello discloses NSP particular traffic is to be routed based on determined protocol basis).

As to claim 24 Manachello teaches the method of as recited in claim 23, wherein choosing a service provider server from a number of service provider servers is performed by the routing server according to predetermined subscription criteria. (See Fig 3, abstract, Column3, lines11-53 Manachello discloses NSP particular traffic is to be routed based on determined protocol basis).

As to claim 25 Manachello teaches the method of as recited in claim 22 further including intelligently propagating router table updates to service routing servers. (See Fig 3, Column 6 lines 15-67 and Column 7 lines 1-45 Manachello discloses routing table's used to identify list of new entries in the tables based on forward packets).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farooque Ahmed whose telephone number is 703-605-4212. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703) 308-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Farooque Ahmed/Examiner
Art Unit 2157

SALEH NAJJAB
PRIMARY EXAMINER